

103^D CONGRESS
2^D SESSION

H. CON. RES. 203

Expressing the sense of the Congress that information regarding the conviction of child-related sex offenses should be available to employers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1994

Mr. BURTON of Indiana submitted the following concurrent resolution; which was referred jointly to the Committees on the Judiciary and Education and Labor

CONCURRENT RESOLUTION

Expressing the sense of the Congress that information regarding the conviction of child-related sex offenses should be available to employers, and for other purposes.

Whereas 74 percent of child sex offenders have had a previous conviction for a sexual offense against a child;

Whereas fully two-thirds of the nonfamily child abduction cases, reported to the police, involve sexual assault; and

Whereas over 114,000 children were targets of attempted abductions in 1988: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of the Congress that—

1 (1) criminal background checks should be per-
2 formed for all prospective employees or volunteers of
3 State-licensed or tax-funded organizations that inter-
4 act with children;

5 (2) an adult who is convicted of a child-related
6 sex offense or a child who has been adjudicated as
7 a delinquent for an act that would constitute a child-
8 related sex offense if committed by an adult should
9 register a current address with the local law enforce-
10 ment agency;

11 (3) a court should require an adult or child who
12 commits a child-related sex offense to register with
13 a local law enforcement agency as a condition of
14 probation;

15 (4) criminal penalties should be provided for of-
16 fenders described in paragraph (3) who are ordered
17 to register with a local law enforcement agency and
18 fail to register;

19 (5) law enforcement agencies should submit in-
20 formation on individuals convicted of child-related
21 sex offenses in the law enforcement agencies' com-
22 munities to the national criminal history background
23 check system, a criminal history record system main-
24 tained by the Federal Bureau of Investigation based

1 on fingerprint identification or other methods of
2 positive identification;

3 (6) law enforcement agencies should access the
4 FBI database for criminal background checks on
5 employees, prospective employees, or volunteers in
6 State-licensed or federally funded organizations that
7 interact with children;

8 (7) the police, upon request, should release in-
9 formation on whether a person has been convicted of
10 a child-related sex offense, if the convicted person
11 lives in the same county as the person making the
12 request;

13 (8) criminal penalties should be provided for
14 persons who violate confidentiality requirements re-
15 garding the release of information obtained through
16 the registration of individuals who have committed
17 child-related sex offenses;

18 (9) a child care institution, foster family home,
19 group home, or child placing agency should be pro-
20 hibited from hiring an employee or utilizing a volun-
21 teer convicted of a child-related sex offense;

22 (10) anyone applying for employment with a
23 school should undergo a mandatory criminal history
24 check;

1 (11) a school should be prohibited from hiring
2 or retaining a person if the person is known to have
3 committed a child-related sex offense;

4 (12) the State board of education should be
5 prohibited from issuing a teaching license to a per-
6 son who has been convicted of a child-related sex of-
7 fense;

8 (13) the State board of education should revoke
9 a teacher's license permanently if the teacher is con-
10 victed of a child-related sex offense; and

11 (14) in the case of an arrest or filing of charges
12 that arises from a child-related sex offense, a law
13 enforcement agency or prosecuting attorney should
14 be required to notify the superintendent regarding
15 such arrest or filing of charges against a person who
16 is known by such law enforcement agency or pros-
17 ecuting attorney to be employed by such school.

○